

## **REMARKS**

The official action dated October 5, 2005 has been carefully considered. In view of the following remarks, all pending claims are in condition for allowance. Accordingly, favorable reconsideration of all pending claims is respectfully requested.

In the official action, claims 1-68 were rejected as obvious over Jensen et al. (U.S. Pat. No. 5,764,763) in view of Micka et al. (U.S. Patent No. 5,592,618).

As an initial matter, the applicant has amended the specification to correct certain grammatical and typographical errors. The applicant respectfully submits that these amendments to the specification do not add any new matter.

Additionally, the applicant is submitting herewith a letter to the draftsman and request for correction relating to Figure 2. In the replacement drawing, the lead line for the temporary memory buffer 37 is extended from the box next to the memory device 35 instead of the processor 32. The applicant respectfully submits that this modification corrects an error in the drawing and does not add any new matter.

The cited references individually and in combination fail to teach or suggest an apparatus for processing audience measurement data including a processor adapted to compare the magnitudes of first intervals between read times and second intervals between time codes to identify one or more codes that are corrupted, as recited in independent claim 1.

The official action incorrectly asserts that Jensen et al. disclose (col. 2, lines 25-42) determining magnitudes of first intervals between read times and magnitudes of second intervals between time codes. The cited portion of Jensen et al. fails to disclose time codes, much less determining magnitudes of intervals between time codes or magnitudes of intervals between read times, as recited in claim 1. If the examiner elects to maintain his position that Jensen et al. disclose determining magnitudes of intervals between read times and magnitudes of intervals between time codes as recited in claim 1, the applicant respectfully requests that at least some evidence of the same be provided in the next official action.

Further, as admitted on page 2 of the official action, Jensen et al. fail to disclose a processor adapted to compare magnitudes of first intervals between read times and second intervals between time codes to identify one or more of the time codes that are corrupted and to calculate a corrected time code for each corrupted time code, as recited in claim 1.

Micka et al. fail to overcome the above-noted deficiencies of Jensen et al. The official action incorrectly asserts that Micka et al. disclose (col. 5, line 62 through col. 6, line 12) “a processor including means for comparing magnitudes of first and second intervals to identify time codes that are corrupted and to identify one or more time codes that are not corrupted.”

While the cited portion of Micka et al. briefly mentions that each write I/O may be time-stamped, that primary and secondary check codes may be generated for shadowed record updates, and that check codes may be compared for copy validation, none of this disclosure teaches or even remotely

hints at comparing magnitudes of first intervals between read times and second intervals between time codes to identify one or more of the time codes that are corrupted and to calculate a corrected time code for each corrupted time code, as recited in claim 1. Even if the time stamps disclosed by Micka et al. could be construed to be the time codes recited in claim 1, a point which the applicant does not concede, the cited portion of Micka et al. is devoid of any teaching or suggestion that time codes may be corrupt, that such corrupted time codes can be identified by comparing magnitudes of intervals between read times and magnitudes of intervals between time codes, or that corrected time codes may be calculated. Again, if the examiner elects to maintain his rejections based on Micka et al., the applicant respectfully requests that at least some evidence supporting the examiner's contentions regarding the teachings of Micka et al. be provided in the next official action.

In view of the foregoing deficiencies of Jensen et al. and Micka et al., the applicant respectfully submits that the examiner has failed to make a proper *prima facie* rejection of independent claim 1 and, thus, withdrawal of the rejections of independent claim 1 and claims 2-12 dependent thereon are respectfully requested. Moreover, as set forth above, neither Jensen et al. nor Micka et al. teaches or suggests comparing magnitudes of first intervals between read times and second intervals between time codes to identify one or more of the time codes that are corrupted and to calculate a corrected time code for each corrupted time code, as recited in claim 1. Thus, no combination of Jensen et al. and Micka et al. can render claim 1 obvious.

Accordingly, independent claim 1 and claims 2-12 dependent thereon are allowable over the cited references.

The applicant respectfully submits that the remaining claims 13-68 are also allowable over the cited art for at least the reasons set forth above.

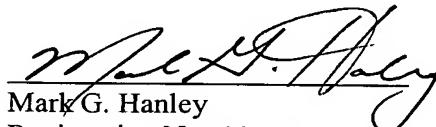
Accordingly, claims 13-68 are also believed to be in condition for allowance.

The applicant respectfully submits the pending claims (1-68) are now in condition for allowance and requests such action. The Commissioner is hereby authorized to refund any overpayment and charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 1.17 to Deposit Account No. 50-2455. A copy of this paper is enclosed.

Respectfully submitted,

HANLEY, FLIGHT, & ZIMMERMAN, LLC  
Suite 4220  
20 North Wacker Drive  
Chicago, Illinois 60606  
(312) 580-1588

By:

  
Mark G. Hanley  
Registration No. 44, 736  
Attorney for Applicant

**February 6, 2006**